

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims status

Claims 11-20 remain in this application. Claim 21 is new. These amendments were discussed, in general terms, by telephone between the Examiner and the undersigned attorney.

Entry of this amendment is solicited.

An early Advisory Action is requested should the Examiner determine that, by filing an RCE, the amendment will be entered and considered.

35 USC 102/103 rejections

Claims 11, 12, 13, 14, and 15 stand rejected under 35 U.S.C. 102(b) as being anticipated by Pourrain (FR 1,121,357, translation).

Claims 16, 18, and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Pourrain (FR 1,121,357, translation) in view of Shimizu (JP 2001-311915, translation).

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Pourrain (FR 1,121,357, translation) in view of Shimizu (JP 2001-311915, translation) as applied to claim 11, and further in view of Molinaro et al (USP 5,149,158).

Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over Pourrain (FR 1,121,357, translation) in view of Shimizu (JP 2001-311915, translation) as applied to claim 11, and further in view of Kim (USP 5,857,576).

Traverse

The claims have been amended to recite the inventive method. No new matter is entered by these amendments. Support for the claim amendments can be found in the description as a whole, in particular page 1, lines 8 to 12 and page 3, lines 3 to 33. Support for the new claim 21 can be found page 3, lines 23-24.

These amendments are made without prejudice and do not constitute abandonment of the corresponding subject matter from the scope of the invention. The applicants continue to reserve pursue such matter, e.g., in a divisional application.

Novelty

Pourrain discloses a fastening clip for fastening a tube on a wall. Pourrain therefore does not relate to a dipping method for an optical element and does not disclose the characteristics of the amended claim 1.

Shimizu discloses a method for holding an ophthalmic lens while it is being surface treated. The surface treatment is not a dip treatment. According to Pourrain, the lens is held by a holding ring circling the lens from a distance. This holding ring comprises three tabs that forms the only parts of the ring in contact with the lens edge. This ring therefore does not exert a

continuous linear contact with the lens edge, as it is the case in the present invention. Moreover, these tabs point toward the lens in order to maintain it, and not away from it, as specified in the amended claim 11.

Molinaro relates to a method for carrying semiconductor wafer with a carrier, and not to a method of dip treatment of optical elements. Moreover, the carrier disclosed by Molinaro does not comprise any holding ring, only a device for gripping wafer carriers.

Kim relates to a method for carrying wafers with a carrier comprising a plurality of slots. Kim does not disclose any method for dipping optical elements nor any holding ring.

Obviousness

Shimizu is the closest document in the state of the art, as it relates to a method for holding an ophthalmic lens.

The invention is distinguished from Shimizu teachings in that the optical element is dipped while being held by a holding ring exerting a continuous linear contact with the periphery of the lens and comprising tabs pointing away from the lens.

The technical problem solved by the invention relates to the improvement of the draining of the optical element once dipped, in order to form a uniform coating of the lens and avoid the production of areas where the coating is thicker, as it would be the case around the holding tabs maintaining the lens in

Shimizu if the holding ring disclosed in Shimizu was used for dipping.

This technical problem is not addressed by the cited documents.

As for the inventive steps of the amended independent claim 11, modifications of Shimizu teachings to achieve the claimed invention would not have been obvious with ordinary skills, insofar as the modifications of the holding ring disclosed in Shimizu required important structural modifications going against Shimizu's teachings.

Shimizu relates to a ring adapted to receive lenses of different sizes: the lens is therefore maintained by tabs in contact with only a limited area of the lens. When using a ring in continuous linear contact with lens, the ring size has to be precisely adapted to the size of the lens. The man skilled in the art could therefore not consider to modify the holding ring of Shimizu in order to achieve the present invention.

Moreover, nothing in the cited documents could have suggested to the man skilled in the art how to modify the teachings of Shimizu in order to solve the technical problem of improving the drainage of the lens.

Such a modification could therefore not be performed without involving a non-obvious step.

Conclusion

In light of the above remarks and amendments, amendment claim 11 is both novel and non-obvious with regards to the prior art cited. Other claims that recite additional limitations are therefore also allowable.

Reconsideration and allowance of the pending claims are respectfully requested.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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